

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CAREY J. GARDNER,

Civil No. 08-145-AC

Plaintiff,

v.

ORDER

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendant.

MARSH, Judge.

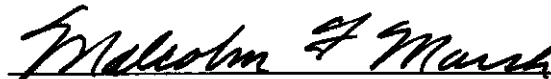
Magistrate Judge John V. Acosta filed his Findings and Recommendation on May 4, 2009. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my obligation to give

the factual findings de novo review. See 28 U.S.C. §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-75 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Acosta's Findings and Recommendation #29. The decision of the Commissioner is AFFIRMED.

IT IS SO ORDERED.

DATED this 27 day of May, 2009.

A handwritten signature in black ink, reading "Malcolm F. Marsh". The signature is written in a cursive style with a horizontal line underneath.

Malcolm F. Marsh
United States District Judge